

SECOND REGULAR SESSION

# SENATE BILL NO. 883

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRAHAM.

Pre-filed December 18, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3845S.011

## AN ACT

To repeal section 105.456, RSMo, and to enact in lieu thereof one new section relating to lobbying.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 105.456, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 105.456, to read as follows:

105.456. 1. No member of the general assembly or the governor,  
2 lieutenant governor, attorney general, secretary of state, state treasurer or state  
3 auditor shall:

4 (1) Perform any service for the state or any political subdivision of the  
5 state or any agency of the state or any political subdivision thereof or act in his  
6 or her official capacity or perform duties associated with his or her position for  
7 any person for any consideration other than the compensation provided for the  
8 performance of his or her official duties; or

9 (2) Sell, rent or lease any property to the state or political subdivision  
10 thereof or any agency of the state or any political subdivision thereof for  
11 consideration in excess of five hundred dollars per transaction or one thousand  
12 five hundred dollars per annum unless the transaction is made pursuant to an  
13 award on a contract let or sale made after public notice and in the case of  
14 property other than real property, competitive bidding, provided that the bid or  
15 offer accepted is the lowest received; or

16 (3) Attempt, for compensation other than the compensation provided for  
17 the performance of his or her official duties, to influence the decision of any  
18 agency of the state on any matter, except that this provision shall not be  
19 construed to prohibit such person from participating for compensation in any  
20 adversary proceeding or in the preparation or filing of any public document or

21 conference thereon. The exception for a conference upon a public document shall  
22 not permit any member of the general assembly or the governor, lieutenant  
23 governor, attorney general, secretary of state, state treasurer or state auditor to  
24 receive any consideration for the purpose of attempting to influence the decision  
25 of any agency of the state on behalf of any person with regard to any application,  
26 bid or request for a state grant, loan, appropriation, contract, award, permit other  
27 than matters involving a driver's license, or job before any state agency,  
28 commission, or elected official. Notwithstanding Missouri supreme court rule  
29 1.10 of rule 4 or any other court rule or law to the contrary, other members of a  
30 firm, professional corporation or partnership shall not be prohibited pursuant to  
31 this subdivision from representing a person or other entity solely because a  
32 member of the firm, professional corporation or partnership serves in the general  
33 assembly, provided that such official does not share directly in the compensation  
34 earned, so far as the same may reasonably be accounted, for such activity by the  
35 firm or by any other member of the firm. This subdivision shall not be construed  
36 to prohibit any inquiry for information or the representation of a person without  
37 consideration before a state agency or in a matter involving the state if no  
38 consideration is given, charged or promised in consequence thereof; or

39 **(4) Be employed as a lobbyist as defined in section 105.470 or be**  
40 **under contract to or be an employee of a firm whose primary mission**  
41 **is to influence the decisions of the general assembly, any state agency,**  
42 **or any political subdivision.**

43 2. No sole proprietorship, partnership, joint venture, or corporation in  
44 which a member of the general assembly, governor, lieutenant governor, attorney  
45 general, secretary of state, state treasurer, state auditor or spouse of such official,  
46 is the sole proprietor, a partner having more than a ten percent partnership  
47 interest, or a coparticipant or owner of in excess of ten percent of the outstanding  
48 shares of any class of stock, shall:

49 (1) Perform any service for the state or any political subdivision thereof  
50 or any agency of the state or political subdivision for any consideration in excess  
51 of five hundred dollars per transaction or one thousand five hundred dollars per  
52 annum unless the transaction is made pursuant to an award on a contract let or  
53 sale made after public notice and competitive bidding, provided that the bid or  
54 offer accepted is the lowest received; or

55 (2) Sell, rent, or lease any property to the state or any political  
56 subdivision thereof or any agency of the state or political subdivision thereof for

57 consideration in excess of five hundred dollars per transaction or one thousand  
58 five hundred dollars per annum unless the transaction is made pursuant to an  
59 award on a contract let or a sale made after public notice and in the case of  
60 property other than real property, competitive bidding, provided that the bid or  
61 offer accepted is the lowest and best received.

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